

REMARKS

This Amendment is being filed in response to the Office Action mailed October 4, 2006, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice.

By means of the present amendment, claims 1-2, 4, 6-12, 14 and 16 have been amended for better clarity and conformance to U.S. practice, such as beginning the dependent claims with 'The' instead of 'A', and changing "characterized in that" to --wherein--.

Claims 1-12 and 15-16 were not amended in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, claims 1, 3, 7 and 10 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over a copending Application No. 10/524,179 in view of U.S. Patent No. 5,907,222 (Lengyel).

Further, claim 8 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over a copending Application No. 10/524,179 in view of Lengyel and U.S. Patent No. 5,726,722 (Uehara). Claims 11-20 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over a copending Application No. 10/524,179.

The Examiner indicated that a terminal disclaimer may be used to overcome the provisional obviousness-type double patenting rejections. These rejections are respectfully traversed particularly in view of amended independent claims 1 and 11, which now recite that the "wall comprises two parallel plates between which a flexible material is arranged, and wherein the flexible material abuts against the lamp." It is respectfully submitted that these features are nowhere recited in the claims of the copending Application No. 10/524,179, or are obvious in view thereof. Accordingly, withdrawal of these provisional obviousness-type double patenting rejections is respectfully requested.

In the Office Action, claims 1, 5, 10, 12, 15 and 20 are objected to for certain informalities. Without agreeing with the Examiner, and in the interest of advancing prosecution, claims 5,

15 and 20 have been canceled without prejudice, and claims 1, 10, and 12 have been amended to remove the informalities noted by the Examiner. It is respectfully submitted that the objection of claims 1, 5, 10, 12, 15 and 20 has been overcome and an indication as such is respectfully requested.

In the Office Action, claims 1-3, 9-13 and 19-20 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,726,722 (Uehara). Further, claims 1-2, 9-11 and 19-20 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,907,222 (Lengyel) in view of U.S. Patent No. 6,089,739 (Yamamoto). It is respectfully submitted that claims 1-20 are patentable Uehara, Lengyel and Yamamoto for at least the following reasons.

At the outset it is noted that claims 5 and 15 are not rejected. By means of the present amendment, claims 3, 5, 13 and 15 have been canceled without prejudice, and their features included in independent claims 1 and 11. It is respectfully submitted that Uehara, Lengyel, Yamamoto, and combinations thereof, do not teach or suggest a wall that "comprises two parallel plates between which a flexible material is arranged, and wherein the flexible material abuts against the lamp," as recited in amended

independent claims 1 and 11.

Accordingly, it is respectfully requested that independent claims 1 and 11 be allowed. In addition, it is respectfully submitted that claims 2, 4, 6-10, 12, 14 and 16-19 should also be allowed based at least on their dependence from independent claims 1 and 11.

Uehara is directed to a light source for a display device having a lamp chamber D. As shown in FIG 2A, the lamp chamber is surrounded by a temperature averaging plate 9 and a frame 3. As recited on column 5, lines 29-34, an upper lateral surface 3a₁ of the frame 3 includes ventilating holes 11 for heat dissipation.

Lengyel is directed to backlighting system for a display having a cavity 16 that includes a lamp 14 having segments 10 with mixtixed corners 12. As correctly noted by the Examiner on page 7 of the Office Action, Lengyel does not teach or suggest a dust-proof space. Yamamoto is cited in an attempt to remedy this deficiency in Lengyel.

Yamamoto is directed to a surface light source for use with displays. As shown in FIG 1, a housing 1 includes side walls 7 and a base 6. A reflector 3 and a diffuser 2 define a closed space with the side walls 7 where lamps 4 are provided. Further, the

reflector 3 and side walls 7 define an open space 9 where openings 7a, 7b are provided in the side walls 7 for air cooling.

It is respectfully submitted that Uehara, Lengyel, Yamamoto, and combinations thereof, do not teach or suggest the present invention as recited in independent claim 1 which, amongst other patentable elements, requires (illustrative emphasis provided):

wherein the inner space extends from the first surface to the base and completely encloses the body.

An inner space that extends from the first surface to the base and completely encloses the body is nowhere taught or suggested in Uehara, Lengyel and Yamamoto, alone or in combination. For example, the Yamamoto closed space 8 (shown in FIG 1) is between the diffuser 2 and the reflector 3, and does NOT extend from the diffuser 2 to the base 6 of the housing 1.

Accordingly, it is respectfully requested that independent claim 21 be allowed. In addition, it is respectfully submitted that claims 22-25 should also be allowed based at least on their dependence from independent claim 21.


In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of

argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

It is believed that no additional fees or charges are currently due beyond since the total number of claims are 20 (not 2) in view of since canceled claims 3, 5, 13, 15 and 20.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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Enclosure: New Abstract

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